

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	:	Mark J. Hall	)
Assignee	:	Hansen Beverage Company	)
Reissue of			)
Patent No.	:	6,044,983	)
Issued	:	April 4, 2000	)
For	:	SHELF STRUCTURE	)

**REISSUE APPLICATION DECLARATION UNDER 37 C.F.R. § 1.175 AND  
POWER OF ATTORNEY BY INVENTORS**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**I, the undersigned inventor, hereby declare that:**

1. My residence, Post Office address and citizenship are stated below next to my name.

2. I believe that I am the original, first and sole inventor of the subject matter described and claimed in U.S. Patent No. 6,044,983 (hereinafter "the '983 patent"), issued April 4, 2000, and of the subject matter disclosed and claimed in the accompanying reissue application and preliminary amendment.

3. I have reviewed and understand the contents of the specification (including the claims) of the accompanying reissue application and preliminary amendment.

4. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

5. I believe that the '983 patent is partially inoperable because it claims less than I had a right to claim. Specifically, the insufficiency in the claims resides in the failure to present claims directed to a rack comprising a support assembly having a forward portion and a rearward portion and being configured to support a plurality of beverage containers, a first pair of support legs having lower ends connected to the forward portion and a second pair of support legs having lower ends connected to the rearward portion, each of the first and second pairs of support legs having upper ends configured to hang the rack from a shelf disposed above the rack, wherein the first and second pairs of support legs are sized such that the forward portion hangs lower than the rearward portion when the rack is hanging, by the upper ends of the first and second pairs of the support legs, from a horizontal shelf. At least one of the new claims presented in the reissue application is directed to this feature, while the original claims of the '983 patent are not. No original claim has a scope equal to that defined by reissue Claims 20-48.

6. All errors being corrected in the present reissue application and the accompanying preliminary amendment, up to the present time, arose without any deceptive intention on my part.

7. I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California, 92660, Telephone (949) 760-0404, **Customer No. 20,995**, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and I acknowledge that the appointed individuals do not represent me, and that instead they represent the assignee.

8. I have read and understand the foregoing statements of this Declaration. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of

Reissue of Patent No.: 6,044,983

the United States Code and that such willful, false statements may jeopardize the validity of the application or patent issuing information.

Full name of sole inventor: Mark J. Hall

Inventor's signature Mark J. Hall

Date 4/16/01

Residence: ~~55 Matterhorn Terrace, Park City, Utah 84098~~

Citizenship: United States

Post Office Address: Same as above

30806 EMERY ROAD, CANYON LAKE. CA

4/16/01

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**REISSUE APPLICATION BY THE INVENTOR, OFFER TO SURRENDER**  
**(37 CFR 1.178)**

**TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:**

The undersigned applicant of the accompanying application for the reissue of letters patent for the improvement in SHELF STRUCTURE, U.S. Patent No. 6,044,983, issued on April 4, 2000, of which HANSEN BEVERAGE COMPANY is the sole owner by assignment, and on whose behalf and with whose consent this accompanying application is made, hereby offers to surrender said letters patent.

APPLICANT

Dated: \_\_\_\_\_

4/16/01

  
\_\_\_\_\_  
Mark J. Hall

65424360

**CONSENT OF ASSIGNEE TO REISSUE**

The undersigned is empowered to act on behalf of the assignee, HANSEN BEVERAGE COMPANY ("Assignee").

In accordance with 37 CFR 3.73(b), Assignee represents that it is the assignee of the entire right, title and interest in U.S. Patent No. 6,044,983, issued April 4, 2000, by virtue of an assignment from the inventor of said letters patent. The assignment was recorded in the U.S. Patent and Trademark Office at **Reel 010405 - Frame 0784**. A copy of the assignment and a Notice of Recordation of Assignment Document dated February 28, 2000 is attached.

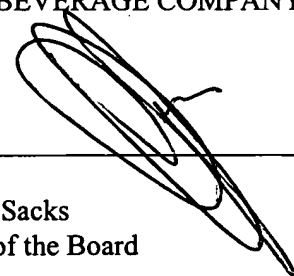
The undersigned has reviewed all the documents in the chain of title of the letters patent identified above, and to the best of the undersigned's knowledge and belief, title is in the Assignee.

Assignee hereby consents to the accompanying application for reissue of the above-identified letters patent.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or patent issuing therefrom.

HANSEN BEVERAGE COMPANY

Dated: April 10, 2001

  
\_\_\_\_\_  
Rodney C. Sacks  
Chairman of the Board

Attorney's Docket No. U 011618-6

**PATENT**

For: ☐ U.S. and/or ☐ Foreign Rights  
For: ☐ U.S. Application or  
☐ U.S. Provisional Application  
For: ☐ U.S. Patent  
For: ☐ PCT Application  
By: ☐ Inventor(s) or ☐ Present Owner

### ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

**ASSIGNOR:**

(inventor(s) or person(s) or  
entity(ies) who own the  
invention)

Mark HALL

(type or print name(s) of ASSIGNOR(S))

55 MATTERHORN TERRACE  
PARK CITY UTAH 84098  
U.S.A.

Nationality

(if assignment is by person or entity to whom invention was previously assigned and  
this was recorded in PTO, add the following)

Recorded on \_\_\_\_\_

Reel \_\_\_\_\_

Frame \_\_\_\_\_

hereby sells, assigns and transfers to

**ASSIGNEE:**

HANSEN BEVERAGE COMPANY

(type or print name(s) of ASSIGNEE(S))

2401 East Katella Avenue

Address

Suite 650, Anaheim, California 92806

Nationality

and the successors, assigns and legal representatives of the ASSIGNEE

E 15.2.7.9.9 1.8.7.2 US

(complete one of the following)

- ☒ the entire right, title and interest  
☐ an undivided \_\_\_\_\_ percent (\_\_\_\_\_% ) interest  
for the United States and its territorial possessions

(check the following box, if foreign rights are also to be assigned)

- ☐ and in all foreign countries, including all rights to claim priority,  
in and to any and all improvements which are disclosed in the invention entitled:  
**SHELF STRUCTURE**

Name of inventor(s) Mark HALL

(check and complete (a), (b), (c), (d), (e), (f) or (g))

and which is found in

- (a) ☒ U.S. patent application executed on even date herewith  
(b) ☐ U.S. patent application executed on \_\_\_\_\_  
(c) ☐ U.S. provisional application naming the above inventor(s) for the above-entitled  
invention.  
☐ Express mail label no.:

Mailed: \_\_\_\_\_

- ☐ To comply with 37 CFR 3.21 for recordal of this assignment, I, an ASSIGNOR  
signing below, hereby authorize and request my attorney to insert below the filing  
date and application number when they become known.

(d) ☐ U.S. application no. \_\_\_\_\_  
filed on \_\_\_\_\_

(e) ☐ International application no. PCT/ \_\_\_\_\_ / \_\_\_\_\_

(f) ☐ U.S. patent no. \_\_\_\_\_ issued \_\_\_\_\_

- ☐ A change of address to which correspondence is to be sent regarding patent  
maintenance fees is being sent separately.

(also, check (g), if foreign application(s) is also being assigned)

(g) ☐ and any legal equivalent thereof in a foreign country, including the right to claim  
priority

and, in and to, all Letters Patent to be obtained for said invention by the above application  
or any continuation, division, renewal, or substitute thereof, and as to letters patent any  
reissue or re-examination thereof

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has  
been or will be made or entered into which would conflict with this assignment;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal this

26<sup>th</sup> day of JANUARY, 1998 (Date of signing).

**WARNING:** The date of signing must be the same as the date of execution of the application, if Item (a) was checked above.

Date:

William Hall  
Signature of ASSIGNOR(S)

Date:

26 JANUARY, 1998

Date:

Date:

(If ASSIGNOR is a legal entity, complete the following information)

\_\_\_\_\_  
(Type or print the name of the above person  
authorized to sign on behalf of ASSIGNOR)

\_\_\_\_\_  
Title

**NOTE:** No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized, then it will only be prima facie evidence of execution. 35 USC 261. Use next page if notarization is desired.

☐ Notarization or Legalization Page Added.





UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

FEBRUARY 28, 2000

PTAS



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C/O LADAS & PARRY  
WILLIAM R. EVANS  
26 WEST 61ST STREET  
NEW YORK, NEW YORK 10023

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/22/1999

REEL/FRAME: 010405/0784  
NUMBER OF PAGES: 12

BRIEF: CHANGE OF ADDRESS

ASSIGNOR:  
HANSEN BEVERAGE COMPANY

DOC DATE: 11/16/1999

ASSIGNEE:  
HANSEN BEVERAGE COMPANY  
2380 RAILROAD STREET, SUITE 101  
CORONA, CALIFORNIA 91720

SERIAL NUMBER: 09015595  
PATENT NUMBER:

FILING DATE: 01/29/1998  
ISSUE DATE:

PAULA MCCRAY, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS